

AG Contract No. KR98-0369TRN
ADOT ECS File: JPA 98-18-Amendment 2
FS Agreement No. IA-0312-98-SO-021
TRACS No.: Various
Project: Various
Section: SR 87, SR 260, SR 88 and SR 188
US 60 and SR 77
5-Year Program Item # 70703

AMENDMENT NO. TWO (2)

INTERGOVERNMENTAL AGREEMENT

(Collection Agreement)

BETWEEN

THE STATE OF ARIZONA

AND

THE UNITED STATES DEPARTMENT OF AGRICULTURE
TONTO NATIONAL FOREST

THIS AMENDMENT, entered into May 9th 2003, Amendment Number 2 to JPA 98-18, AG Contract No. KR98-0369TRN, and executed 03 June, 1998, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the UNITED STATES DEPARTMENT OF AGRICULTURE, TONTO NATIONAL FOREST, acting by and through its Contracting Officer (the "Forest Service").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The Forest Service is empowered by Cooperative Funds Act of 30 June 1914 (16 U.S.C. 498) and the Intergovernmental Cooperation Act of 1968, Title III, 31 U.S.C. 6501-6508, Pub. L. 90-577, as amended, Pub. L. 97-258, 13 Sept. 1982 to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Forest Service.

The purpose of this amendment is to amend I. RECITALS, Paragraph 3. and II. SCOPE, Paragraph 2, to increase the cost reimbursement total for highway construction projects from \$2,000,000.00 to an amount not to exceed \$2,500,000.00.

THEREFORE, in consideration of the mutual agreements expressed herein, and JPA 98-18 is amended herein as follows:

NO. 22397 #02
Filed with the Secretary of State
Date Filed: 05/09/03

Janice K. Brewer
Secretary of State

By: Vincent J. Gruenewald

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JPA 98-18
Amendment 2**II. SCOPE**

Replace II. 2. to read as follows:

The State will:

Reimburse the Forest Service within 30 days after receipt and approval of invoices, in a total amount not to exceed \$2,500,000.00.

III. MISCELLANEOUS PROVISIONS

7. All contractual notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007
FAX (602) 712-7424

USDA Forest Service
Tonto National Forest
Don VanDriel
2324 E. McDowell Road
Phoenix, AZ 85006

8. Attached hereto and incorporated herein is the written determination of legal counsel that the State is authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

Except as set forth above, all other terms and conditions of the original Agreement and Amendment 1, remain the same, except as changed herein.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

U.S. DEPARTMENT OF AGRICULTURE
Tonto National Forest

STATE OF ARIZONA
Department of Transportation

By Thomas J. Claborn
for: KARL P. SIDERIS
Forest Supervisor

By Sam Maroufkhani
SAM MAROUFKHANI, P.E.
Deputy State Engineer

4/22/03
(date)

4/25/03
(date)



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

TERRY GODDARD
ATTORNEY GENERAL

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE 602.542.8855


INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR98-0369TRN (JPA 98-18-Amendment 2), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED April 30, 2003.

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

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att.